

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)
of the NEW ENGLAND TEAMSTERS AND)
TRUCKING INDUSTRY PENSION FUND)

Plaintiff,)

v.)

EAGLE GRAPHICS, INC and)
JOSEPH BENDER, in his capacity as President)
of Eagle Graphics, Inc.)

Defendants,)

C.A. No. 04-12509 DPW

**AFFIDAVIT OF CATHERINE M. CAMPBELL IN SUPPORT
OF AWARD OF ATTORNEY'S FEES AND COSTS PURSUANT TO
SECTION 502(g)(2) OF ERISA, 29 U.S.C. § 1132(g)(2)**

Catherine M. Campbell deposes and says as follows:

1. I am an attorney with the law office of Feinberg, Campbell & Zack, P.C., located at 177 Milk Street, Boston, MA 02109. I am admitted to practice before the United States District Court for the District of Massachusetts, the United States District Court for the Northern District of California, the United States Court of Appeals for the First Circuit, the Massachusetts Supreme Judicial Court, and the California Supreme Court. I specialize in litigation under the Employee Retirement Income Security Act of 1974 (ERISA) and the Multiemployer Pension Plan Amendments Act of 1980 (MPPAA). I have acted as legal representative of the New England Teamsters and Trucking Industry Pension Fund ("Pension") for the purposes of the above-captioned matter.

2. The amount of time this office has expended in pursuing collection of pension contributions due and owing the Pension Fund from the Defendants Eagle Graphics, Inc.

and Joseph Bengier, has been 129.25 hours. Pursuant to financial arrangements made by this office with the Fund, services performed by an attorney in this office for the Fund are charged at the rate of \$235.00 per hour for Catherine M. Campbell, \$210 per hour for an associate attorney and \$125 per hour for a paralegal. Accordingly, the amount of legal fees incurred by the Pension Fund as a result of the work performed by this office is \$30,003.75. The total amount of costs amount to \$1,600.09.

3. The total of attorneys fees and costs incurred by the Pension Fund are \$31,603.84.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 13th DAY OF MARCH 2006.

/S/ Catherine M. Campbell
Catherine M. Campbell
BBO #549397
Feinberg, Campbell & Zack, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

<u>Fees</u>	<u>Client</u>	<u>Trans Date</u>	<u>Atty</u>	<u>H P</u>	<u>Ted</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
200.353		07/28/2004	11	A	1	125.00	0.75	93.75	Open new file; Control group research; Draft Demand letter and withdrawal liability questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		07/29/2004	7	A	1	235.00	1.50	352.50	Review of new file; Edit of Demand letter and questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		08/09/2004	7	A	1	235.00	3.50	822.50	Internet research of LLP; Edit of questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		09/09/2004	7	A	1	235.00	1.50	352.50	Edit Complaint; Preparation of Summons; Research regarding service New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		10/12/2004	7	A	1	235.00	2.75	646.25	Research regarding control group New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		10/13/2004	7	A	1	235.00	1.50	352.50	Research control group and officers New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		10/18/2004	7	A	1	235.00	0.50	117.50	Letter to company with withdrawal liability questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		10/19/2004	7	A	1	235.00	0.50	117.50	Telephone conference with J. Macintosh; Memo to file New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		11/01/2004	7	A	1	235.00	0.50	117.50	Review of draft Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		11/24/2004	7	A	1	235.00	2.50	587.50	Edit of draft Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		12/02/2004	7	A	1	235.00	0.50	117.50	Letter to sheriff regarding Summons New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		12/09/2004	7	A	1	235.00	0.50	117.50	Telephone conference with employer; Preparation of Stipulation to Extend Time to Answer Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		12/14/2004	7	A	1	235.00	0.25	58.75	Update litigation report New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		12/28/2004	7	A	1	235.00	0.50	117.50	Telephone conference with Bengert; Preparation and filing of Stipulation to Extend Time to Answer New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		12/29/2004	7	A	1	235.00	0.50	117.50	Letter to Bengert New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		01/05/2005	7	A	1	235.00	0.50	117.50	Telephone conference with attorney; Memo to file; Preparation of Extension of Time to File Answer New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		01/13/2005	7	A	1	235.00	0.50	117.50	Letter to attorney; Telephone conference with same New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		03/14/2005	7	A	1	235.00	2.75	646.25	Preparation of Scheduling conference documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		03/18/2005	7	A	1	235.00	2.75	646.25	Telephone conference with Counsel; Email correspondence; Edit of joint schedule New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		03/24/2005	7	A	1	235.00	2.25	528.75	Prepare for and attend scheduling conference New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		03/25/2005	7	A	1	235.00	1.25	293.75	Preparation of automatic disclosure documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		03/28/2005	7	A	1	235.00	0.75	176.25	Email correspondence with attorney regarding questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		04/13/2005	7	A	1	235.00	0.75	176.25	Telephone conference with and letter to attorney New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		04/13/2005	7	A	1	235.00	0.50	117.50	Preparation of Notice of Deposition New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353		04/27/2005	7	A	1	235.00	2.50	587.50	Research for Motion for Summary Judgment; Letter to attorney	ARCH

Fees	Client	Trans Date	Ally	H P	Tcd	Rate	Hours to Bill	Amount	Ref #
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		05/17/2005	7	A	1	235.00	1.50	352.50 Letter to attorney, deposition preparation	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		05/31/2005	7	A	1	235.00	1.75	411.25 Telephone conference with attorney; Reschedule of deposition; Letter regarding withdrawal liability questionnaire; Research regarding Summary Judgment	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/08/2005	7	A	1	235.00	0.50	117.50 Letter to attorney	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/06/2005	7	A	1	235.00	2.50	587.50 Research regarding successor liability	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/13/2005	7	A	1	235.00	5.50	1292.50 Prepare for and attend deposition; Preparation of Discovery	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/14/2005	7	A	1	235.00	0.50	117.50 Review Memorandum of Understanding; Research regarding same	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/20/2005	7	A	1	235.00	4.75	1116.25 Preparation of Interrogatories and Requests for Production of Documents; Legal research regarding successor employer	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/22/2005	7	A	1	235.00	0.50	117.50 Letter to Court regarding status conference	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/23/2005	3	A	21	210.00	3.00	630.00 Review file; Research regarding withdrawal liability and successor liability	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/24/2005	3	A	20	210.00	5.00	1050.00 Research regarding withdrawal liability and successorship	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/27/2005	3	A	20	210.00	1.50	315.00 Research regarding Cambridge printing and successor liability	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/27/2005	7	A	1	235.00	3.75	881.25 Preparation of Discovery Responses	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/28/2005	7	A	1	235.00	2.50	587.50 Preparation of Subpoena to Next Generation	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		06/28/2005	3	A	20	210.00	2.00	420.00 Research regarding successor liability theories	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		07/21/2005	7	A	1	235.00		0.00 Research regarding enforcement of subpoena; Telephone conference regarding discovery	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		10/06/2005	7	A	1	235.00	2.50	587.50 Preparation of Motion to Amend scheduling conference and Motion for Contempt regarding Next Generation	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		10/07/2005	7	A	1	235.00	0.75	176.25 Edit of Motion to Amend scheduling conference and Motion for Contempt	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		11/04/2005	7	A	1	235.00	2.25	528.75 Telephone conference with Court and attorney for Next Generation, letter to same, review of confidentiality agreement	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		11/07/2005	7	A	1	235.00	2.25	528.75 Telephone conference with Next Generation's attorney; Letter to L. Donaghue; Preparation of Memo to Amend Scheduling Conference Order	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		11/18/2005	7	A	1	235.00	1.25	293.75 Preparation of Notice of Deposition to Next Generation	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		11/22/2005	7	A	1	235.00	0.50	117.50 Letter to Constable and Donaghue	ARCH
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353		11/29/2005	7	A	1	235.00	2.75	646.25 Letter to Rothslein; Review documents from Eagle New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH

<u>Fees</u>	<u>Client</u>	<u>Trans Date</u>	<u>Atty</u>	<u>H P</u>	<u>Totd</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
	200.353	12/01/2005	7	A	1	235.00	3.25	763.75	Meeting at Next Gen to review subpoenaed records New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/02/2005	7	A	1	235.00	1.50	352.50	Review of Eagle documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/07/2005	7	A	1	235.00	0.50	117.50	Letter to Rothstein regarding rescheduled deposition notice New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/10/2006	7	A	1	235.00	7.25	1703.75	Prepare for and attend deposition of Rothstein/Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/17/2006	7	A	1	235.00	1.75	411.25	Preparation of Interrogatories to Eagle; Letter to attorney New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/27/2006	7	A	1	235.00	6.25	1468.75	Review deposition transcript; Research regarding de facto mergers and successor liability; Preparation of Settlement letter New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/31/2006	7	A	1	235.00	1.50	352.50	Edit Settlement letter New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/03/2006	7	A	1	235.00	0.50	117.50	Review Discovery documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/07/2006	7	A	1	235.00	4.75	1116.25	Telephone conference with Next Generation attorney; Research regarding Document Request; Review of deposition testimony New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/08/2006	7	A	1	235.00	4.25	998.75	Telephone conference with Eagle's attorney; Preparation of Document Request to Next Generation; Letter to Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/28/2006	7	A	1	235.00	0.50	117.50	Telephone conference with attorney; Letter to same; Preparation of Motion to Extend New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/03/2006	7	P	1	235.00	1.25	293.75	Review of documents from Next Gen New England Teamsters & Trucking Industry Eagle Graphics, Inc.	60
	200.353	03/09/2006	7	P	1	235.00	7.50	1762.50	Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	62
	200.353	03/10/2006	7	P	1	235.00	3.75	881.25	Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	63
	200.353	03/10/2006	7	P	1	235.00	5.00	1175.00	Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	64
Total for Fees						Billable	120.25	30003.75		
Advances										
	200.353	09/14/2004	7	A	134			43.78	Online Computer Research Charges via Lexis-Nexis during the month of August 04 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/27/2004	7	A	134			40.93	Online Computer Research Charges Dun & Bradstreet New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/27/2004	7	A	134			9.95	Online Computer Research Charges via knowx.com New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/15/2004	7	A	134			50.31	Online Computer Research Charges via Lexis-Nexis during the month of October 2004 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7	A	114			150.00	Filing Fees/ (38) Clerk, US District Court New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7	A	54			4.88	Certified Mail Cost - Copy of Complaint to U.S. Secretary of Labor New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7	A	54			4.88	Certified Mail Cost - Copy of Complaint to U.S. Secretary of Treasury	ARCH

Client	Trans Date	Atty	H P	Tcd	Rate	Hours to Bill	Amount	Ref #
Advances								
200.353	11/29/2004	7	A	54			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 0.00 Certified Mail Cost	ARCH
200.353	11/29/2004	7	A	127			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 7.10 Courier/City Express (1115) City Express to US District Court	ARCH
200.353	11/30/2004	7	A	134			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 38.00 Online Computer Research Charges via Locate Plus during the month of November 2004	ARCH
200.353	01/01/2005	7	A	134			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 24.95 Online Computer Research Charges via knowx.com	ARCH
200.353	01/03/2005	7	A	115			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 36.00 Service of Summons and Complaint: Sheriff's Department, Norfolk County 12/06/04	ARCH
200.353	01/03/2005	7	A	115			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 51.38 Service of Summons and Complaint on Joseph Bengert: Sheriff's Department 12/06/04	ARCH
200.353	06/13/2005	7	A	134			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 24.95 Online Computer Research Charges via knowx.com	ARCH
200.353	06/23/2005	7	A	115			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 103.00 Service of Federal Subpoenas: All State Constables on KOR-Next Generation Printing	ARCH
200.353	07/13/2005	7	A	112			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 317.00 Deposition/Transcript Expense: (2412) Neal A. Salloway - Deposition of Joseph Bengert	ARCH
200.353	07/26/2005	7	A	134			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 168.23 Online Computer Research Charges via Lexis-Nexis during the month of June 2005	ARCH
200.353	10/31/2005	7	A	44			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 29.00 Parking - Attorney Campbell	ARCH
200.353	11/01/2005	7	A	115			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 50.00 Service of Order to Next Generation Printing: (2431) All State Constables	ARCH
200.353	12/22/2005	7	A	115			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 0.00 Service of Subpoena and Federal Witness Fee on Next Generation Printing Inc. by All State Constables	ARCH
200.353	01/10/2006	7	A	112			New England Teamsters & Trucking Industry Eagle Graphics, Inc. 445.75 Deposition/Transcript Expense: (2412) Neal A. Salloway - Deposition of Paul E. Rollstein	ARCH
Total for Advances						Billable	0.00 1600.09	
GRAND TOTALS								
						Billable	129.25 31603.64	